

Minutes  
Regular Meeting  
Hertford County Board of Commissioners  
County Commissioners' Meeting Room  
Monday, June 9, 2014  
7:00 P.M.

Present: William F. Mitchell, Jr., Ronald J. Gatling, Johnnie R. Farmer, Curtis A. Freeman, Sr., and Howard J. Hunter, III

Absent: None

Also Present with the Board: Loria D. Williams, County Manager; M. Ray Wiggins, Assistant County Manager; Charles L. Revelle, III, County Attorney; and Shelia W. Matthews, Clerk to the Board

Chairman William F. Mitchell, Jr., called the meeting to order.

The invocation for the meeting was provided by Commissioner Curtis A. Freeman, Sr.

**PERSONNEL/COOPERATIVE EXTENSION**

Stephanie Parker-Helmkamp, Cooperative Extension Director, was present to introduce the new 4-H Agent, Brittany Scott. She began employment on May 12.

**AGRICULTURAL DISTRICTS**

Mr. Stuart Pierce, Chairman of Farm Bureau Board and local farmer, was present to discuss North Carolina Agricultural Districts and the possibility of Hertford County becoming a Voluntary Agricultural District. It has already been adopted by 85 counties in the state.

More discussion was held by Mr. Stephen A. Woodson, Associate General Counsel for the North Carolina Farm Bureau Federation. An Agricultural District is a program for landowners that recognizes the importance of agriculture in North Carolina and fosters the growth, development, and sustainability of family farms. The purpose of the Agricultural District Program is to encourage the preservation and protection of farmland from non-farm development. This is in recognition of the importance of agriculture to the economic and social well being of North Carolina. A brochure was distributed that explained the benefits for farmers and the public as follows:

**Benefits for Farmers**

- Recognition & public education about agriculture
- Increased protection from nuisance suits
- Waiver of water and sewer assessments

- Public hearings required for proposed condemnation
- Eligibility for funding
- Official role in county or city government

#### Benefits for the Public

- Preserving North Carolina's Number 1 Industry
- County-wide Economic Benefit
- Quality of Life
- Ability to buy locally grown products

If approved, an ordinance would need to be drafted to establish the District and appoint an advisory board. The Land Records/Tax/Register of Deeds offices would need to be involved with this process. These offices will be informing potential buyers that the prospective property is beside or near a farm so they will be aware of odors, dust, slow moving farm vehicles, etc.

Mr. Jimmy Mason, a local farmer, spoke in favor of the Voluntary Agricultural District and noted that he is not anti-development.

The County Manager was directed to meet with Mr. Woodson and gather some neighboring counties' ordinances in the next 60 to 90 days.

#### TAX

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve a tax refund request in the amount of \$309.18 to Glaston C. Parker, Jr., 717 Mapleton Road, Murfreesboro, NC, 27855. This refund request was for 2012 and 2013 ad valorem property taxes due to the taxpayer failed to take care of listing and paid bill on mobile home that was owned by and listed by account #42097.

On a motion by Freeman and a second by Gatling, the Board voted unanimously to approve the following vehicle tax refund requests due to the fact that the taxpayers paid vehicle bills prior to Debt Setoff sending payments:

John Westley Cobb	\$111.57
317 W. High Street	
Murfreesboro, NC 27855	
#1212-430800	

Sharcheta Mitchell Lassiter	\$215.67
919 US Highway 13 S	
Ahoskie, NC 27910	
#1305-441406	

Reginald Thomas Wiggins	\$230.79
116 Raleigh Street	
Murfreesboro, NC 27855	

#1302-435838

### **AMBULANCE FRANCHISES**

Mr. James Broglin, EMS Director, presented a request to amend the Ambulance Service Franchise Ordinance which would increase franchise application/renewal fees as follows:

“Increase from \$100 to \$500 to accompany original/renewal applications and an additional \$500 if application is approved. Also, if there is an increase of EMS units during franchise period, they will be subject to an additional \$100 per unit.”

On a motion by Gatling and a second by Freeman, the Board voted unanimously to approve the first reading of two required readings of the “Amendment to Ambulance Service Franchise Ordinance” with a proposed effective date of July 1, 2014.

### **COMMISSIONERS**

On a motion by Gatling and a second by Freeman, the Board voted unanimously to appoint Commissioner Hunter as the Voting Delegate at the 2014 Annual NACo Conference.

### **BUDGET**

On a motion by Farmer and a second by Gatling, the Board voted unanimously to recess Regular Session to go into a Public Hearing on the Proposed FY 2014-2015 Hertford County Budget per the following advertisement:

### **LEGAL NOTICE HERTFORDCOUNTY BUDGET HEARING**

Pursuant to N. C. General Statute 159-11, notice is hereby given that the proposed 2014-2015 Hertford County Budget has been filed and is open for public inspection in the Office of the County Manager - Clerk to the Board - Hertford County Office Building Number One - King Street - Winton, NC, from 8:30 A.M. to 5:00 P.M., Monday through Friday. A public hearing will be held by the Hertford County Commissioners on June 9, 2014, at 7:30 P.M. in the Commissioners' Meeting Room - Hertford County Office Building Number One - King Street - Winton, NC, to receive public comments on the proposed budget. By order of the Hertford County Board of Commissioners.

William F. Mitchell, Jr., Chairman, Hertford County Board of Commissioners  
Shelia W. Matthews, Clerk to the Board

### **PUBLIC HEARING**

- Dr. Michael Perry, Superintendent of Hertford County Schools, distributed handouts reviewing the Schools budget request
- Stuart Pierce thanked the Board and commended them on doing a great job bringing the tax rate down from where it was years ago and holding it there

- Jimmy Mason stressed the importance of using State funds to full advantage before using County funds
- Pierce/Mason both asked the Board to hold the tax rate if at all possible

On a motion by Hunter and a second by Freeman, the Board voted unanimously to leave the Public Hearing and return to Regular Session.

## **REGULAR SESSION**

### **COMMISSIONERS**

On a motion by Hunter and a second by Gatling, the Board voted unanimously to amend the Meeting Schedule by rescheduling the June 16<sup>th</sup> Regular Meeting to June 26<sup>th</sup> at 9:00 A.M. The budget will be adopted at this meeting.

## **BOARD APPOINTMENTS**

### **Hertford County ABC Board**

On a motion by Freeman and a second by Farmer, the Board voted unanimously to appoint William McCoy Pierce to the Hertford County ABC Board for a three-year term to expire on June 30, 2017. It was noted that Winfred Hardy was not reappointed to the Board due to the fact that he has already served over ten years.

### **Choanoke Public Transportation Authority**

On a motion by Farmer and a second by Gatling, the Board voted unanimously to appoint AxemBracy to the Choanoke Public Transportation Authority for a two-year term beginning October 1, 2014, and expiring September 30, 2016. It was noted that Brenda Greene was not reappointed to the Board due to the fact that she has already served ten years.

### **Hertford County Public Health Authority Board**

On a motion by Gatling and a second by Farmer, the Board voted unanimously to reappoint Rebecca Greene and appoint Rhonda Y. Harrington to the Hertford County Public Health Authority Board for three-year terms to expire on June 30, 2017. It was noted that William Stephens was not reappointed to the Board due to the fact that he has already served ten years.

On a motion by Freeman and a second by Farmer, the Board voted unanimously to reappoint Howard Hunter, III, to the Hertford County Public Health Authority Board for another three-year term to expire on June 30, 2017.

### **Medical Services Transportation Advisory Council**

On a motion by Hunter and a second by Freeman, the Board voted unanimously to appoint Evelyn May and David Short and to reappoint Christine Coleman and William F. Mitchell, Jr., to the Medical Services Transportation Advisory Council for one-year terms to expire on June 30, 2015.

### **Mid-East Board**

On a motion by Hunter and a second by Freeman, the Board voted unanimously to appoint Annie W. Mobley to the Mid-East Board for a one-year term to expire on June 30, 2015.

### **Parks & Recreation Advisory Commission**

On a motion by Gatling and a second by Freeman, the Board voted unanimously to reappoint Tony Hammond to the Parks & Recreation Advisory Commission for a three-year term to expire on June 30, 2017. The remaining appointments/reappointments were tabled.

### **Region Q Workforce Development Board**

On a motion by Hunter and a second by Gatling, the Board voted unanimously to reappoint Wendell Hall, Charles Reynolds, Quinton Turman, and Howard Hunter, III, to the Region Q Workforce Development Board for one-year terms to expire on June 30, 2015. Mr. Wendell Hall was appointed into the Private Sector/Community Based Organization position leaving the Education position vacant.

### **Tri-County Airport Authority**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to reappoint William S. Early to the Tri-County Airport Authority for a three-year term to expire on October 1, 2017.

### **HERTFORD COUNTY ABC BOARD**

On a motion by Freeman and a second by Hunter, the Board voted unanimously to appoint Mr. Lonnie Simmons as the Chairman of the Hertford County ABC Board.

### **MID-EAST LOAN ADVISORY COMMITTEE**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to appoint William S. Early to the Mid-East Commission Revolving Loan Fund Advisory Committee for a two-year term.

On a motion by Gatling and a second by Freeman, the Board voted unanimously to appoint M. Ray Wiggins to the Mid-East Commission Revolving Loan Fund Advisory Committee for a two-year term.

On a motion by Freeman and a second by Gatling, the Board voted unanimously to recess Regular Session to go into a meeting of the Tunis Sewer District Governing Board.

### **TUNIS SEWER DISTRICT**

**MINUTES OF BOARD OF COMMISSIONERS OF TUNIS SEWER DISTRICT,  
HERTFORD COUNTY, NORTH CAROLINA**

A regular meeting of the Board of Commissioners (the "Board") for Tunis Sewer District, Hertford County, North Carolina, was held at 7:00 P.M. on June 9, 2014, in the Commissioners' Meeting Room in County Administrative Building 1 in Winton, North Carolina.

Present: Chairman William F. Mitchell, Jr., presiding, and Commissioners: Ronald J. Gatling, Johnnie R. Farmer, Curtis A. Freeman, Sr., and Howard J. Hunter, III

Absent: None

Also Present: Loria Williams, County Manager; Shelia Matthews, Clerk to the Board; and Charles L. Revelle, III, County Attorney.

\* \* \* \* \*

Commissioner Gatling introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by title:

**RESOLUTION PROVIDING FOR THE ISSUANCE OF \$307,000  
GENERAL OBLIGATION SANITARY SEWER BONDS**

BE IT RESOLVED BY the Board of Commissioners (the "Board") for Tunis Sewer District, Hertford County, North Carolina (the "District"):

**Section 1.** The Board has determined and does hereby find and declare as follows:

(a) A bond order authorizing not exceeding \$400,000 General Obligation Sanitary Sewer Bonds of the District was adopted by the Board on November 1, 2010 (the "Bond Order"), which Bond Order was approved by the vote of a majority of the qualified voters of said District who voted thereon at a referendum duly called and held February 1, 2011.

(b) The District issued a General Obligation Sanitary Sewer Bond Anticipation Note (the "Note"), on February 25, 2014, which matures on June 25, 2014.

(c) It is necessary to issue \$307,000 of General Obligation Sanitary Sewer Bonds, Series 2014 (the "Bonds") at this time, the proceeds of which will refinance the Note.

(d) That (i) the District is a governmental unit with general taxing powers, (ii) no bond which is part of the issue of bonds described in Section 2 hereof shall be a private-activity bond, as defined in the Internal Revenue Code of 1986, as amended, (the "Code"), (iii) 95 percent or more of the net proceeds of said bonds are to be used for local governmental activities of the District (iv) the aggregate face amount of all tax-exempt obligations (not counting private-activity bonds) issued by the District, all entities which

issue obligations on behalf of the District and all subordinate entities of the District during calendar year 2014 is not reasonably expected to exceed \$5,000,000 and (v) to the best of the District's knowledge, there are no entities which issue obligations on behalf of, or subordinate entities of, the District.

**Section 2.** Pursuant to the Bond Order, the District shall issue a bond in the amount of \$307,000, numbered R-1, dated as of the date of delivery thereof and maturing in annual installments on the first day of June in the years and in the amounts shown on Exhibit A attached hereto. The full faith and credit of the District are irrevocably pledged for the payment of the principal of and premium, if any, and interest on the Bonds in accordance with their terms.

The Bonds shall bear interest on the unpaid part of such principal at a rate of 2.375% per annum until payment thereof, payable on June 1, 2015, and annually thereafter on the first day of June of each year until paid. The Bonds will be sold to United States of America, United States Department of Agriculture, Rural Development ("*USDA*") by private sale in accordance with Sections 8 and 9. The Bonds may not be defeased without written consent of USDA during such time as USDA remains the registered owner of the Bonds.

The Bonds shall bear interest from the date on which they are authenticated.

The principal of and the interest and any redemption premium on the Bonds are payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

The Bond Registrar (as defined herein) shall pay interest on the Bonds on each interest payment date to the person appearing on the registration books of the District hereinafter provided for as the registered owner of such Bonds (or the previous Bond or Bonds evidencing the same debt as that evidenced by such Bonds) at the close of business on the record date for such interest, which is the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date. During the time that USDA is the registered owner of the Bonds, payment of the installments of principal and interest when due and payable on the Bonds is to be made at the office of such fiscal agent or by such other manner as USDA designates without presentation or surrender thereof and, during any such time as an assignee thereof is the registered owner of the Bonds, payment of the installments of principal when due and payable on the Bonds is to be made at the offices of PNC Bank in Murfreesboro, North Carolina, on the presentation and surrender thereof, and payment of the interest when due and payable on the Bonds is to be made by check mailed to such assignee at his address as it appears on the Bond registration books of the District hereinafter mentioned without the presentation or surrender thereof.

**Section 3.** The Bonds may be redeemed, at the option of the District, as long as USDA is the owner of the Bonds, at any time before the maturity of any installment of the principal thereof, either in whole or in part in the inverse order of the maturity dates of the installments of principal, from any money that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date fixed for redemption, but without any premium.

If all or any part of the Bonds is redeemed, the Bond Registrar shall send a notice of redemption by registered mail, at least 40 days before the date fixed for redemption, addressed (a) during the time that USDA is the owner of the Bonds, to such other address as USDA may designate by registered or certified mail forwarded to the District at least 50 days before any redemption date, and (b) during any time as an assignee of USDA is not the owner of the Bonds, to the address as it appears on the registration book of the District hereinafter mentioned.

On the date fixed for redemption, notice having been given in the manner and under the conditions hereinabove provided, the Bonds or part thereof called for redemption are due and payable at the redemption price provided therefor, plus accrued interest to such date. If money sufficient to pay the redemption price of the Bonds or part thereof to be redeemed plus accrued interest thereon to the date set redemption are held at such place as USDA may designate (or, if the Bond or Bonds have been assigned by USDA, at the offices of PNC Bank in Murfreesboro, North Carolina in trust for such purpose, interest on the Bonds or part thereof called for redemption ceases to accrue, such Bond, Bonds or part thereof ceases to be entitled to any benefits or security under the Bond Order or to be deemed outstanding, and the registered owners of such Bond, Bonds or part thereof have no rights in respect thereof except to receive payment of the redemption price thereof, plus accrued interest to the date of redemption.

If an installment of principal of the Bonds is redeemed, the Bond Registrar shall direct the registered owner thereof to evidence such redemption by appropriate notation on the schedule attached to such Bond for such purpose.

**Section 4.** The Bonds, on surrender thereof at the principal office or corporate trust office of the Bond Registrar, together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as is satisfactory to the Bond Registrar, may, at the option of the registered owner thereof, be exchanged for Bonds having maturities corresponding to the maturities of the installments of principal of such Bonds then unpaid, issuable in fully registered form in the denomination of \$5,000 or any integral multiple thereof, and bearing interest at the same rate.

The transfer of the Bond or Bonds may be registered by the registered owner thereof only on execution of an assignment thereof duly executed by such registered owner or his attorney or legal representative. Notice of such assignment is to be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as is satisfactory to the Bond Registrar, and on receipt of such notice, such Bond or Bonds are to be registered as to both principal and interest on such registration books in the name of the assignee named in such notice. In no event will the Bond Registrar transfer the Bond to any person other than a bank, an insurance company or a similar financial institution unless the Local Government Commission of North Carolina has previously approved such transfer.

The transfer of any bond issued in exchange for the Bond or Bonds as provided above may be registered only on the registration books of the District on the surrender thereof to the Bond Registrar together with an assignment duly executed by the registered owner or his attorney or legal representative in such form as is satisfactory to the Bond Registrar. On any such registration of transfer, the Bond Registrar shall authenticate and deliver in exchange for such Bond or Bonds a new bond or bonds, registered in the name of the transferee, of any



denomination or denominations authorized by this resolution, in an aggregate principal amount equal to the unredeemed principal amount of such Bond or Bonds so surrendered, of the same maturity and bearing interest at the same rate.

When the Bond or Bonds are exchanged or the transfer of the Bond or Bonds is registered hereunder and a new bond or bonds are to be delivered in exchange therefor, the Bond Registrar shall authenticate and deliver at the earliest practicable time bonds in accordance with the provisions of this resolution. The Bond Registrar shall cancel all Bonds surrendered in any such exchange or registration of transfer. The Bond Registrar is not required to make any such exchange or registration of transfer of (a) any Bond or Bonds during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or (b) any Bond or Bonds called for redemption in whole or in part under Section 3.

As to any Bond, the person in whose name it is registered is deemed and regarded as the absolute owner thereof for all purposes, and payment of or on account of the principal or redemption price of any such Bond and the interest on any such Bond is to be made only to or on the order of the registered owner thereof or his legal representative. All such payments are valid and effectual to satisfy and discharge the liability on such Bond, including the redemption premium, if any, and interest thereon, to the extent of the sum or sums so paid.

The District shall appoint such registrars, transfer agents, depositaries or other agents as may be necessary for the registration, registration of transfer and exchange of Bonds within a reasonable time according to then-current commercial standards and for the timely payment of installments of principal and interest with respect to the Bond or Bonds. The Finance Officer of the District, acting on behalf of the District, is hereby appointed the registrar, transfer agent and paying agent (the "*Bond Registrar*") for the Bonds, subject to the right of the governing body of the District to appoint another Bond Registrar, and as such shall keep at her office the books of the District for the registration, registration of transfer, exchange and payment of the Bonds as provided in this resolution.

**Section 5.** The Bonds are to bear the manual or facsimile signatures of the Chairman or Vice-Chairman and the Clerk to the Board, each acting on behalf of the District, and the corporate seal or a facsimile of the corporate seal of the District will be impressed or imprinted, as the case may be, on the Bonds.

The certificate of the Local Government Commission of North Carolina to be endorsed on the Bonds will bear the manual or facsimile signature of the Secretary of said Commission, and the certificate of authentication of the Bond Registrar to be endorsed on the Bonds is to be executed as provided hereinafter.

If any officer of the District acting on behalf of the District, or the Local Government Commission of North Carolina whose manual or facsimile signature appears on the Bonds ceases to be such officer before the delivery of such Bonds, such manual or facsimile signature is nevertheless valid and sufficient for purposes the same as if he had remained in office until such delivery, and the Bonds may bear the manual or facsimile signatures of such persons as at the

actual time of the execution of such Bonds are the proper officers to sign such Bonds although at the date of such Bonds such persons may not have been such officers.

No Bond is valid or obligatory for any purpose or entitled to any benefit or security under this resolution until it has been authenticated by the execution by the Bond Registrar of the certificate of authentication endorsed thereon.

The Bonds and the endorsements thereon are to be in substantially the form attached as Exhibit B hereto.

**Section 6.** The Local Government Commission of North Carolina is hereby requested to sell the Bonds at private sale pursuant to G.S. 159-123 to USDA, subject to the approval of the Finance Officer of the District, acting on behalf of the District; provided, however, that the purchase price of the Bonds is at least \$307,000 plus 100% of accrued interest, if any, and that the maximum interest rate does not exceed 2.375% per annum.

**Section 7.** The Finance Officer of the District is hereby authorized to approve the purchase price of the Bonds and the rate of interest on the Bonds in connection with the private sale of the Bonds, subject to the provisions of Section 6.

**Section 8.** The District hereby represents that it reasonably expects that the District, all subordinate entities thereof and all entities that issue obligations on behalf of the District, will not issue in the aggregate more than \$10,000,000 of tax-exempt obligations (not counting private-activity bonds except for qualified 501(c)(3) bonds as defined in the Code) during calendar year 2014. In addition, the District hereby designates each of said bonds as a “qualified tax-exempt obligation” for the purposes of Section 265(b)(3) of the Code.

**Section 9.** This resolution may be amended or supplemented, from time to time, without the consent of the holder of the Bonds if in the opinion of nationally recognized bond counsel, such amendment or supplement would not adversely affect the interests of the registered owners of the Bonds and would not cause the interest on the Bonds to be included in the gross income of a recipient thereof for federal income tax purposes. This resolution may be amended or supplemented with the consent of the registered owners of a majority in aggregate principal amount of the outstanding Bonds, but a modification or amendment may not, without the express consent of any registered owner of Bonds affected, reduce the principal amount of any Bonds, reduce the interest rate payable on it, extend its maturity or the times for paying interest, change the monetary medium in which principal and interest is payable, or reduce the percentage of consent required for amendment or modification.

Any act done pursuant to a modification or amendment consented to by the registered owners of the Bonds is binding on all holders of the Bonds and will not be deemed an infringement of any of the provisions of this resolution, whatever the character of the act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this resolution, and after consent has been given, no registered owner of the Bonds has any right or interest to object to the action, to question its propriety or to enjoin or restrain the District from taking any action pursuant to a modification or amendment.

If the District proposes an amendment or supplemental resolution to this resolution requiring the consent of the registered owners of the Bonds, the District shall cause notice of the proposed amendment to be sent to each registered owner by first-class mail, postage prepaid, to the address of such registered owner as it appears on the registration books; but the failure to receive such notice by mail by any registered owner, or any defect in the mailing thereof, will not affect the validity of any proceedings pursuant hereto. Such notice shall briefly set forth the nature of the proposed amendment and shall state that copies thereof are on file in the office of the Finance Officer of the District, acting on behalf of the District, for inspection by the registered owners. If, within 60 days or such longer period as is prescribed by the District following the giving of such notice, the registered owners of a majority in aggregate principal amount of the Bonds then outstanding have consented to the proposed amendment, the amendment will be effective as of the date stated in the notice.

**Section 10.** This resolution is effective on its passage.

Thereupon Commissioner Gatling moved the passage of the foregoing resolution entitled “RESOLUTION PROVIDING FOR THE ISSUANCE OF \$307,000 GENERAL OBLIGATION SANITARY SEWER BONDS”, and Commissioner Hunter seconded the motion, and the resolution was passed by the following vote:

Ayes: Commissioners Gatling, Hunter, Farmer, Freeman, and Mitchell

Noes: None

\* \* \* \* \*

I, Shelia Matthews, Clerk to the Board of Commissioners for Tunis Sewer District, Hertford County, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the recorded proceedings of the Board for said District at a regular meeting held on June 9, 2014, as relates in any way to the issuance of \$307,000 General Obligation Sanitary Sewer Bonds of said District and that such proceedings are recorded in Minute Book No. 12 of the minutes of said Board, beginning at page 918 and ending at page 925.

I DO HEREBY FURTHER CERTIFY that the schedule of regular meetings of said Board has been on file in my office pursuant to North Carolina General Statutes 143-318.12 as of a date not less than seven (7) days before said meeting.

WITNESS my hand and the seal of said District, this 9th day of June, 2014.

Clerk to the Board of Commissioners

Tunis Sewer District

**EXHIBIT A**

<b>YEAR OF MATURITY</b>	<b>PRINCIPAL AMOUNT</b>	<b>YEAR OF MATURITY</b>	<b>PRINCIPAL AMOUNT</b>
2015	\$ 0.00	2035	\$ 8,000.00
2016	0.00	2036	8,000.00
2017	5,500.00	2037	8,000.00
2018	5,500.00	2038	8,000.00
2019	5,500.00	2039	8,500.00
2020	5,500.00	2040	9,000.00
2021	6,000.00	2041	9,000.00
2022	6,000.00	2042	9,000.00
2023	6,000.00	2043	9,000.00
2024	6,000.00	2044	10,000.00
2025	6,000.00	2045	10,000.00
2026	6,000.00	2046	10,000.00
2027	6,000.00	2047	10,000.00
2028	7,000.00	2048	10,500.00
2029	7,000.00	2049	11,000.00
2030	7,000.00	2050	11,000.00
2031	7,000.00	2051	11,000.00
2032	7,000.00	2052	12,000.00
2033	7,000.00	2053	12,000.00
2034	8,000.00	2054	9,000.00

**EXHIBIT B**

**REGISTERED BOND WITHOUT COUPONS**

(Registered as to both principal and interest)

**UNITED STATES OF AMERICA**

**STATE OF NORTH CAROLINA**

**TUNIS SEWER DISTRICT, NORTH CAROLINA**

**GENERAL OBLIGATION SANITARY SEWER BONDS, SERIES 2014**

No. R-1

\$307,000

The Tunis Sewer District, North Carolina (the "District"), a body politic in the State of North Carolina, is justly indebted and for value received hereby promises to pay to the

**UNITED STATES OF AMERICA**

**UNITED STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT**

or its registered assigns, the principal sum of

**THREE HUNDRED AND SEVEN THOUSAND AND NO/100 DOLLARS**

in annual installments on the 1st day of June in the following years and amounts:

<b>YEAR OF MATURITY</b>	<b>PRINCIPAL AMOUNT</b>	<b>YEAR OF MATURITY</b>	<b>PRINCIPAL AMOUNT</b>
2015	\$ 0.00	2035	\$ 8,000.00
2016	0.00	2036	8,000.00
2017	5,500.00	2037	8,000.00
2018	5,500.00	2038	8,000.00
2019	5,500.00	2039	8,500.00
2020	5,500.00	2040	9,000.00
2021	6,000.00	2041	9,000.00
2022	6,000.00	2042	9,000.00
2023	6,000.00	2043	9,000.00
2024	6,000.00	2044	10,000.00
2025	6,000.00	2045	10,000.00
2026	6,000.00	2046	10,000.00
2027	6,000.00	2047	10,000.00
2028	7,000.00	2048	10,500.00
2029	7,000.00	2049	11,000.00
2030	7,000.00	2050	11,000.00
2031	7,000.00	2051	11,000.00
2032	7,000.00	2052	12,000.00
2033	7,000.00	2053	12,000.00
2034	8,000.00	2054	9,000.00

and to pay interest from the date hereof on the unpaid part of such principal sum at the rate of 2.375% per annum until payment thereof, payable on June 1, 2015, and annually thereafter on the, first day of June of each year until paid. The interest so payable on any such interest payment date will be paid to the person in whose name this Bond is registered at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date. Both the principal of and the interest on this Bond are payable in any coin or currency of the United States of America which, at the respective date of payment thereof, is legal tender for the payment of public and private debts.

During the time that the United States of America is the registered owner of this Bond, payment of the installments of principal and interest when due and payable on this Bond are to be made at the office of such fiscal agent as the United States of America designates without presentation or surrender hereof and, during any such time as an assignee hereof is the registered owner of this Bond, payment of the installments of principal when due and payable on this Bond are to be made at the offices of PNC Bank in Murfreesboro, North Carolina, on the presentation and surrender hereof, and payment of the interest when due and payable on this Bond will be made by check mailed to such assignee at his address as it appears on the Bond registration books of the District hereinafter mentioned without the presentation or surrender hereof. On receipt of said payments of principal and interest, written acknowledgment of the receipt thereof

will be given promptly to the Bond Registrar hereinafter mentioned, and the District will be fully discharged of its obligation on this Bond to the extent of the payment so made. On final payment, this Bond must be surrendered to the Bond Registrar for cancellation.

This Bond is issued pursuant to and in accordance with Article 5 and Article 9 of Chapter 159 of the General Statutes of North Carolina, both as amended, a bond order (as amended to date, the "*Bond Order*") adopted by the Board of Commissioners of the Tunis Sewer District, North Carolina (the "*District*") on November 1, 2010 and effective thereon and a resolution adopted by the Board of Commissioners of the District on June 9, 2014 (the "*Bond Resolution*"). The proceeds of this Bond are to be used to refinance the General Obligation Sanitary Sewer Bond Anticipation Note (the "*Note*"). The full faith and credit of the District are irrevocably pledged for the payment of the principal of and premium, if any, and interest on this Bond in accordance with its terms.

At the office of the Bond Registrar, in the manner and subject to the conditions provided in the Resolution, this Bond may be exchanged for an equal aggregate principal amount of Bonds having maturities corresponding to the maturities of the installments of principal of this Bond then unpaid, issuable in fully registered form in the denomination of \$5,000 or any integral multiple thereof and bearing interest at the same rate.

This Bond is registered as to both principal and interest in the name of the United States of America on books of the District kept by the Finance Officer of the District, acting on behalf of the District, as Bond Registrar, and the transfer hereof may hereafter be registered by the registered owner hereof only on execution of an assignment hereon duly executed by such registered owner or his attorney or legal representative. Notice of such assignment is to be given promptly by the assignor to the Bond Registrar by registered mail, such notice to be in such form as is satisfactory to the Bond Registrar, and on receipt of such notice this Bond is to be registered as to both principal and interest on such registration books in the name of the assignee named in such notice.

This Bond or any part hereof at the time outstanding may be redeemed, at the option of the District, as long as USDA is the owner of the Bonds, at any time before the maturity of any installment of the principal thereof, either in whole or in part in the inverse order of the maturity dates of the installments of principal, from any money that may be made available for such purpose, at the aggregate principal amount of the installments of principal to be redeemed, together with the interest accrued thereon to the date set redemption, but without any premium.

On the date designated for redemption, notice having been given and money for payment of the redemption price being held in trust for such purposes, all as provided in the Bond Resolution, this Bond or part hereof becomes and is due and payable, and the interest on this Bond or part hereof so redeemed ceases to accrue.

The Bond Registrar is not required to exchange or register any transfer of (a) any Bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Bonds or any portion thereof and ending at the close of business on the day of such mailing or (b) any Bond called for redemption in whole or in part under the Bond Resolution.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of North Carolina to happen, exist and be performed precedent to and in the issuance of this Bond have happened, exist and have been performed in regular and due form and time as so required, and that the amount of this Bond, together with all other indebtedness of the District, is within every debt and other limit prescribed by said Constitution or statutes.

*IN WITNESS WHEREOF*, the District, by resolution duly passed, has caused this Bond to be manually signed by the Chairman or Vice-Chairman and the Clerk to the Board of Commissioners, each acting on behalf of the District, and the District's corporate seal to be impressed hereon, all as of the 9th day of June, 2014.

Chairman/Vice-Chairman of the Board of  
Commissioners

Clerk to the Board of Commissioners

On a motion by Freeman and a second by Gatling, the Board voted unanimously to return to Regular Session.

## **REGULAR SESSION**

### **COUNTY MANAGER'S UPDATE**

- Site Analysis was discussed for the E-911 Facility – Proposed site of being located on the opposite end of the Courthouse poses major parking issues – Alternate site was proposed behind the Courthouse and was accepted
- Code Enforcement Officer's last day will be June 13<sup>th</sup> – There is an Interlocal Agreement in place with Bertie County at an hourly rate so we will be covered for services

### **COMMISSIONERS' COMMENTS**

- Commissioner Freeman recognized Ryan Pierce, Eagle Scout, who was in attendance observing the meeting for advancement in the Scouts
- Vice-Chairman Gatling questioned Assistant County Manager Wiggins for an update on improvements at the DuPont L. Davis Memorial Park
- Commissioner Hunter stressed the importance of calling Legislators regarding education budget cuts
- Commissioner Farmer (along with Freeman and Hunter) mentioned the D.O.T. Public Hearing held earlier in the afternoon regarding NC 11 and US 13 Improvements.
- Chairman Mitchell thanked the members of the audience for attending

On a motion by Gatling and a second by Hunter, the Board voted unanimously to recess Regular Session to go into a scheduled Closed Session as allowed under G. S.

143-318.11 (a) (3) to consult with the County Attorney and (6) to discuss personnel matters.

### **CLOSED SESSION**

Minutes of Closed Session are on file in the office of the Clerk to the Board.

### **REGULAR SESSION**

On a motion by Freeman and a second by Gatling, the Board voted unanimously to recess Regular Session to go into a meeting of the Tunis Sewer District Governing Board.

### **TUNIS SEWER DISTRICT**

On a motion by Gatling and a second by Hunter, the Board voted unanimously to amend the May 7, 2012, Interlocal Cooperation Agreement with the Town of Winton by deleting the last sentence of Section Five and adding the following as the last sentence of Section Three: "In addition to the above fees, the District shall pay an upfront Capacity Fee of \$25,000 to Town, prior to inception of treatment services."

On a motion by Hunter and a second by Gatling, the Board voted unanimously to return to Regular Session.

### **REGULAR SESSION**

On a motion by Hunter and a second by Gatling, the Board voted unanimously to adjourn the meeting.